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22850 7590 01/11/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.			EXAMINER		
1940 DUKE S	1940 DUKE STREET			WORJLOH, JALATEE	
ALEXANDRI	A, VA 22314	•	ART UNIT PAPER NUMBER		
		3621			
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			01/11/2008	ELECTRONIC	

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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•		Application No.	Applicant(s)		
		09/715,176	SIGLER ET AL.		
	Office Action Summary	Examiner	Art Unit		
		Jalatee Worjloh	3621		
Period fo	The MAILING DATE of this communication app or Reply	pears on the cover sheet with the c	orrespondence address		
A SH THE - Exte after - If the - If NC - Failu Any	ORTENED STATUTORY PERIOD FOR REPL'MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. e period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period for to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing ed patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be time y within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from the cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).		
Status					
1) 🛛	Responsive to communication(s) filed on 20 M	larch 2007.			
2a)⊠	This action is <b>FINAL</b> . 2b) ☐ This action is non-final.				
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.				
Disposit	ion of Claims				
5)□ 6)⊠ 7)□	Claim(s) 1-14,24 and 43-52 is/are pending in the short claim(s) is/are withdraw Claim(s) is/are allowed.  Claim(s) 1-14,24 and 43-52 is/are rejected.  Claim(s) is/are objected to.  Claim(s) are subject to restriction and/or	n from consideration.			
Applicat	ion Papers				
10)	The specification is objected to by the Examine The drawing(s) filed onis/ are: a) accomplicant may not request that any objection to the Replacement drawing sheet(s) including the correct The oath or declaration is objected to by the Examine	epted or b) objected to by the Idrawing(s) be held in abeyance. See tion is required if the drawing(s) is obj	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).		
Priority (	under 35 U.S.C. § 119		•		
12) [ a)	Acknowledgment is made of a claim for foreign  All b) Some * c) None of:  1. Certified copies of the priority document  2. Certified copies of the priority document  3. Copies of the certified copies of the priority document  application from the International Bureau  See the attached detailed Office action for a list	s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National Stage		
Attachmen	ıt(s)				
1) Notic	ce of References Cited (PTO-892)	4) Interview Summary			
3) 🔲 Infon	ce of Draftsperson's Patent Drawing Review (PTO-948) mation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) er No(s)/Mail Date	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate Patent Application (PTO-152)		

#### **DETAILED ACTION**

### Response to Amendment

1. This Office Action is responsive to the amendment filed March 20, 2007. Claims 1-14, 24, 43-52 are pending.

## Response to Arguments

- 2. Applicants' arguments filed March 20, 2007 have been fully considered but they are not persuasive.
- 3. Applicants argue that Stolfo does not teach "receiving, by the third trusted party from the buyer, an anonymous identifier as an anonymous payment method for a product the buyer is purchasing" and that "Stolfo merely describes a bank or credit card clearing company receiving from a proxy or a retailer a proxy identifier or a transacting identify of a user".

The Examiner respectfully disagrees. Stolfo teaches a proxy system that generates a unique proxy identifier, which "may be considered as a distinct plastic credit card". The proxy identifier is an anonymous payment method, which is sent from the buyer to the third trusted party (see paragraphs [0049], [0084], and [0086]).

Note. *Dictionary of Business Terms* defines a payment method as "means of payment employed by a customer, such as cash, check, money order or credit card with order or upon invoicing".

4. Applicants argue that Stolfo does not disclose the bank or credit card clearing company queries the database to determine the payment method from the received transacting identify.

The Examiner respectfully disagrees. When the bank receives the proxy identifier, it is inherently aware of what type of payment method the consumer is implementing. Thus, it is able

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to identify the customer and access the customer's account for processing the transaction.

Further, in order to debit the consumer and credit the merchant, the bank must know the type of payment method.

## Claim Rejections - 35 USC § 103

5. Claims 1-14, 24 and 43-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over "An Efficient Fair Payment System" to Camenisch et al. ("Camenisch") in view of US Publication No. 2004/0002903 to Stolfo et al. ("Stolfo").

Camenisch discloses receiving by a trusted third party from the buyer and indicator of a payment method and assigning an anonymous identifier to the indicator that corresponds to the payment method (see pages 90 & 91, Opening of a Personal Account, Registration at the Judge and Payment). Camenisch does not expressly disclose populating by the trusted third party a digital repository with data that is associated with the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier, receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the buyer is purchasing the product having a total sale price, receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing, querying by the trusted third party to determine the payment method from the received anonymous identifier, requesting, by the trusted third party payment approval from a payment partner by providing the payment partner a description of the payment method determined in the querying step and the total sale price and providing payment approval to the seller. Stolfo discloses populating by the trusted third party a digital repository with data that is associated with the buyer, the data including a buyer identification indicator, the indicator

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of the payment method, and the anonymous identifier (see paragraph [0051] Only the party providing the first party with the transacting identity can link the true identity of the first party with the transaction identity. Where a purchase is involved, the bank or credit clearing entity stores information linking the true identity of the user and the transaction identity. The bank or credit card clearing entity generates these transacting identities for all customers who use the inventive system and method, and provides a database linking the transacting and true identities.), receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the buyer is purchasing the product having a total sale price (see paragraphs [0035], [0084], [0086], and [0127]), receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing (see paragraph [0138] The proxy computer software waits for and receives from the second party vendor confirmation information that the proxy computer software stores for future reference. The information includes all identifying information transmitted to the second party vendor as well as typically complete list of items ordered from the second vendor.), querying by the trusted third party to determine the payment method from the received anonymous identifier received (see paragraphs [0140] - [0142] the proxy system passes to the bank the user's proxy identifier that allows the bank to identify the user as a bank customer and access the customer's account. In an alternative embodiment, the proxy system database may store user bank account information linked to the proxy identifier, and the proxy system may transmit this account information), requesting, by the trusted third party payment approval from a payment partner by providing the payment partner a description of the payment determined in the querying step and the total sale price and providing payment approval to the seller (see paragraphs [0059] & [0060]

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Approval or disapproval may comprise another party providing for approval or disapproval of the purchase. The other party may be a third party who approves or disapproves of the purchase based on financial information relating to the first party and who also pays the second party and debits the first party if the purchase is approved. The other party may arrange with at least a third party to provide for approval or disapproval of the purchase.). Notice, the "other party" informs the third party if the transaction is approve or deny, which implies that the third party must have first requested such authorization. At the time the invention was made, it would have been obvious to a person of ordinary skill the art to modify the method disclose by Camenisch to include the steps of populating by the trusted third party a digital repository with data that is associated with the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier, receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the buyer is purchasing the product having a total sale price, receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing, querying by the trusted third party to determine the payment method from the received anonymous identifier, receiving, by the trusted third party payment approval from a payment partner by providing the payment partner a description of the payment method determined in the querying step and the total sale price and providing payment approval to the seller. One of ordinary skill in the art would have been motivated to do this because protects a purchaser's identity during electronic commerce transactions, thereby reducing fraudulent purchases (see Stolfo et al. paragraphs [0030]-[0032]).

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Referring to claims 2,3, 44 and 45, Camenisch discloses an anonymous payment method (see claim 1 above). Camenisch does not expressly disclose the payment partner is a credit processor that receives credit approval from a credit approval authority or the payment partner is a credit approval authority. Stolfo discloses the payment partner is a credit processor that receives credit approval from a credit approval authority or the payment partner is a credit approval authority (see paragraphs [0070], [0094] and [0143]). At the time the invention was made, it would have been obvious to a person of ordinary skill the art to modify the method disclose by Camenisch, to include the step wherein the payment partner is a credit processor that receives credit approval from a credit approval authority or the payment partner is a credit approval authority. One of ordinary skill in the art would have been motivated to do this because it provides an additional level of security.

Referring to claims 4 and 46, Camenisch discloses the payment method is at least one of a credit card, debit cad, an e-check, and a direct debit account (see pg. 91, Withdrawal from Personal Account, and Payment).

Referring to claims 5-7,10-12 and 47-49, Camenisch discloses an anonymous payment method, wherein the anonymous identifier is a unique code (see pg. 90, anonymous account number yA). Camenisch does not expressly disclose the anonymous identifier is nickname or a one-time use code. Stolfo discloses the anonymous identifier is nickname and a one-time use code (see paragraph [0047] the user has a different identity for each time it establishes communication with a second party or for each transaction [0048] the proxy can provide a user name which is a function of a unique name or proxy identifier of each user and the proxy's identity for each transaction). At the time the invention was made, it would have been obvious

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to a person of ordinary skill the art to modify the method disclose by Camenisch to include the step wherein anonymous identifier is nickname or a one-time use code. One of ordinary skill in the art would have been motivated to do this because protects a purchaser's identity during electronic commerce transactions, thereby reducing fraudulent purchases (see Stolfo paragraphs [0030]-[0032]).

Referring to claims 8 and 14, Camenisch discloses the anonymous identifier is assigned by at least one of the buyer and the seller (see pg. 90, *Registration at the Judge*, the customer must first generate a new anonymous account number yA). At the time the invention was made, it would have been obvious to a person of ordinary skill the art to modify the method disclose by Camenisch to include the step wherein the anonymous identifier is assigned by at least one of the buyer and the seller the. One of ordinary skill in the art would have been motivated to do this because protects a purchaser's identity during electronic commerce transactions, thereby reducing fraudulent purchases (see Stolfo paragraphs [0030]-[0032]).

Referring to claim 9, Camenisch discloses establishing by a trusted third party for a buyer a prefunded cash account, assigning an anonymous identifier to the prefunded account (see pages 90 & 91, Opening of a Personal Account, Registration at the Judge, Opening of the Anonymous Account and Payment). Camenisch does not expressly disclose populating by the trusted third party a digital repository with data that is descriptive of the buyer, the data including a buyer identification indicator, the identification indicator for the prefunded cash account and the anonymous identifier, receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the buyer is purchasing, the product having a total sale price, receiving, by the trusted third party from a seller, the total sale price for

payment approval of the product the buyer is purchasing, querying by the trusted third party to

determine the payment method from the received anonymous identifier. Stolfo discloses populating by the trusted third party a digital repository with data that is descriptive of the buyer, the data including a buyer identification indicator, the identification indicator for the prefunded cash account and the anonymous identifier (see paragraph [0051] Only the party providing the first party with the transacting identity can link the true identity of the first party with the transaction identity. Where a purchase is involved, the bank or credit clearing entity stores information linking the true identity of the user and the transaction identity. The bank or credit card clearing entity generates these transacting identities for all customers who use the inventive system and method, and provides a database linking the transacting and true identities.), receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the buyer is purchasing, the product having a total sale price, receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing (see paragraph [0035], [0084], [0086], [0127]), receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing (see paragraph [0138] The proxy computer software waits for and receives from the second party vendor confirmation information that the proxy computer software stores for future reference. The information includes all identifying information transmitted to the second party vendor as well as typically complete list of items ordered from the second vendor.), querying, by the trusted third party, the digital repository to determine the prefunded cash account from the received anonymous identifier (see paragraphs [0140] - [0142] the proxy system passes to the bank the user's proxy identifier that allows the bank to identify the user as a

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bank customer and access the customer's account. In an alternative embodiment, the proxy system database may store user bank account information linked to the proxy identifier, and the proxy system may transmit this account information), receiving, by the trusted third party from a seller, the total sales price for payment approval of the product the buyer is purchasing and paying, by the trusted third party, the seller an amount equal to the total sale price from the prefunded cash account determined in the querying step (see paragraphs [0059] & [0060] Approval or disapproval may comprise another party providing for approval or disapproval of the purchase. The other party may be a third party who approves or disapproves of the purchase based on financial information relating to the first party and who also pays the second party and debits the first party if the purchase is approved. The other party may arrange with at least a third party to provide for approval or disapproval of the purchase.). Notice, the "other party" informs the third party if the transaction is approve or deny, which implies that the third party must have first requested such authorization. At the time the invention was made, it would have been obvious to a person of ordinary skill the art to modify the method disclose by Camenisch et al to include the steps of populating by the trusted third party a digital repository with data that is associated with the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier, purchasing by the buyer a product having a total sale price from a seller, providing by the buyer the anonymous identifier to the trusted third party as an anonymous payment method for the product, requesting by the seller payment approval by providing the total sale price to the trusted third party, querying by the trusted third party to determine the payment method from the anonymous identifier received in the providing step, requesting by the trusted third party payment approval from a payment partner by providing the

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payment partner a description of the payment method determined in the querying step and the total sale price and providing payment approval to the seller. One of ordinary skill in the art would have been motivated to do this because protects a purchaser's identity during electronic commerce transactions, thereby reducing fraudulent purchases (see Stolfo paragraphs [0030]-[0032]).

Claim 24 is a system that has means for performing the steps of method claim 1 above; therefore, this claim is rejected on the same rationale as claim 1.

Referring to claims 43 and 51, Camenisch discloses receiving by a trusted third party from the buyer and indicator of a payment method, assigning an anonymous identifier to the indicator that corresponds to the payment method and providing by the buyer to the trusted third party the anonymous identifier as an anonymous payment method for the product, wherein the anonymous identifier is assigned by at least one of the buyer and the trusted third party (see pages 90 & 91, Opening of a Personal Account, Registration at the Judge and Payment). Camenisch does not expressly disclose assigning by the trusted third party at least one unique buyer-seller identifier, each corresponding to a unique combination of the buyer and at least one sellers, populating by the trusted third party a digital repository with data that is descriptive of the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier, and at least one unique buyer-seller identifier, receiving, from the buyer to the one of the at least one sellers, an appropriate one of the at least one unique buyer-seller identifiers, the appropriate one of the at least one unique buyer-seller identifiers corresponding to the buyer and the one of the at least sellers, receiving, by the trusted third party from the buyer, the anonymous identifier as an anonymous payment method for a product the

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buyer is purchasing, the product having a total sale price, receiving, by the trusted third party from a seller, the total sale price for payment approval of the product the buyer is purchasing, querying by the trusted third party the digital repository to determine the payment method from the received anonymous identifier, requesting by the trusted third party payment approval from a payment partner by providing the payment partner the payment method determined in the querying step and the total sale price, providing payment approval to the seller, receiving by the trusted third party from one of the at least one sellers, the appropriate one of the at least one unique buyer-identifiers and forwarding by the trusted third party the message to the buyer by determining an identity of the buyer using the appropriate one of the at least one unique buyerseller identifiers received in the requesting step. Stolfo et al. disclose assigning by the trusted third party at least one unique buyer-seller identifier, each corresponding to a unique combination of the buyer and at least on seller (see paragraph [0107] The unique transaction identifier serves to hid the true identity of the recipient and indexes the transaction. The unique transaction identifier may therefore serve as a data to the entire transaction any may be used to store and access transaction data such as recipient name, address, second party vendor.), populating by the trusted third party a digital repository with data that is associated with the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier and at east one unique buyer-seller identifier (see paragraph [0051] Only the party providing the first party with the transacting identity can link the true identity of the first party with the transaction identity. Where a purchase is involved, the bank or credit clearing entity stores information linking the true identity of the user and the transaction identity. The bank or credit card clearing entity generates these transacting identities for all

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customers who use the inventive system and method, and provides a database linking the transacting and true identities.), receiving, from the buyer to the one of the at least one sellers, an appropriate one of the at least one unique buyer-seller identifiers the appropriate one of the at least one unique buyer-seller identifiers corresponding to the buyer and the one of the at least one sellers (see paragraph [0107]; notice, "the unique transaction identifier may be linked to a tracking number", which implies that the buyer can provide it to the seller for tracking or other purposes), purchasing by the buyer a product having a total sale price from a seller (see paragraph [0035]), receiving, by the trusted third party as an anonymous payment method for the product (see paragraph [0127]), receiving, by the trusted third party from a seller, the total price for payment approval of the product the buyer is purchasing (see paragraph [0138] The proxy computer software waits for and receives from the second party vendor confirmation information that the proxy computer software stores for future reference. The information includes all identifying information transmitted to the second party vendor as well as typically complete list of items ordered from the second vendor.), querying by the trusted third party to determine the payment method from the received anonymous identifier received (see paragraphs [0140] -[0142] the proxy system passes to the bank the user's proxy identifier that allows the bank to identify the user as a bank customer and access the customer's account. In an alternative embodiment, the proxy system database may store user bank account information linked to the proxy identifier, and the proxy system may transmit this account information), requesting by the trusted third party payment approval from a payment partner (i.e. other party) by providing the payment partner by providing the payment partner the payment method determined in the querying step and the total sale price, (see paragraphs [0059] & [0060] Approval or disapproval

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may comprise another party providing for approval or disapproval of the purchase. The other party may be a third party who approves or disapproves of the purchase based on financial information relating to the first party and who also pays the second party and debits the first party if the purchase is approved. The other party may arrange with at least a third party to provide for approval or disapproval of the purchase.). . Notice, the "other party" informs the third party if the transaction is approve or deny, which implies that the third party must have first requested such authorization. As for the steps of receiving the trusted third party the appropriate one of the at least one unique buyer-seller identifiers and forwarding the trusted third party the message to the buyer by determining an identity of the buyer using the appropriate one of the at least one unique buyer-seller identifiers received in the requesting step, Stolfo provides a system to allows the buyer, seller and trusted third party to communicate messages (see paragraph [0045]). Stolfo dose not explicitly state that communication of the message includes providing one unique-buyer-seller identifies and using the buyer-seller identifiers received to forward the message. However, this is difference is found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The requesting and forwarding steps would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see In re Gulack, 703F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); In re Lowry, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994). At the time the invention was made, it would have been obvious to a person of ordinary skill the art to modify the method disclose by Camenisch to include the steps of assigning by the trusted third party at least one unique buyer-seller identifier, each corresponding to a unique combination of the buyer and at least one sellers, populating by the trusted third party

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a digital repository with data that is descriptive of the buyer, the data including a buyer identification indicator, the indicator of the payment method, and the anonymous identifier, and at least one unique buyer-seller identifier, purchasing by the buyer a product having a total sale price from a seller, providing by the buyer the an appropriate one of the at least one buyer-seller identifiers to the one of at least one sellers, the appropriate one of the at least one unique buyerseller identifiers corresponding to the buyer and the one of the at least seller, requesting by the seller payment approval by providing the total sale price to the trusted third party, querying by the trusted third party the digital repository to determine the payment method from the anonymous identifier received in the providing by the buyer to the trusted third party step, requesting by the trusted third party payment approval from a payment partner by providing the payment partner the payment method determined in the querying step and the total sale price, providing payment approval to the seller, requesting by the one of the at least sellers to the trusted third party a communication of a message to the buyer by providing the trusted third party the appropriate one of the at least one unique buyer-identifiers and forwarding by the trusted third party the message to the buyer by determining an identity of the buyer using the appropriate one of the at least one unique buyer-seller identifiers received in the requesting step. One of ordinary skill in the art would have been motivated to do this because protects a purchaser's identity during electronic commerce transactions, thereby reducing fraudulent purchases (see Stolfo paragraphs [0030]-[0032]).

Referring to claim 51, Camenisch et al. disclose a method maintaining anonymity of a buyer and receiving proxy information from a buyer (see claim 43 above). Camenisch et al. do not expressly disclose receiving by the trusted third party an e-mail address for use in an

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anonymous communications with the at least one sellers, wherein the populating step comprises populating the digital repository with the e-mail address, and the message forwarded to the buyer is an e-mail message sent to the e-mail address. Stolfo et al. disclose receiving by the trusted third party an e-mail address (i.e. electronic address) for use in an anonymous communications with the at least one sellers (see paragraph [0057]), wherein the populating step comprises populating the digital repository with the e-mail address (see paragraph [0051] Where a purchase is involved, the bank or credit clearing entity stores information linking the true identity of the user.), and the message forwarded to the buyer is an e-mail message sent to the e-mail address (see paragraph [0150] the communications between the first party users and the proxy computer can be by e-mail).

As per claim 52, see claim 1 rejection above.

#### Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jalatee Worjloh whose telephone number is 571-272-6714. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fischer can be reached on 571-272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jalatee Worjloh Primary Examiner Art Unit 3621

January 7, 2008